

March 16, 2012

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: WC Docket Nos. 09-197, 11-42 – Ex Parte Notice

Dear Ms. Dortch:

On March 14, 2012, the undersigned counsel for Boomerang Wireless, LLC (“Boomerang Wireless”), spoke with Ms. Garnet Hanly of the Wireline Competition Bureau by telephone to discuss Boomerang Wireless’ Compliance Plan, submitted on February 24, 2012. Ms. Hanly requested certain additional information to supplement and revise the Compliance Plan and Boomerang’s eligibility certification, and Boomerang Wireless by its counsel hereby responds to that request.

Staff requested additional information about the company’s organization. Boomerang Wireless is a wholly owned subsidiary of HH Ventures LLC, an Iowa company. As noted in its Compliance Plan, Boomerang Wireless manages the wireless data platform for its sister company, Ready Wireless LLC, which is also a wholly owned subsidiary of HH Ventures LLC. The attached organizational chart shows the relationships among these companies.

As discussed during the call, Boomerang Wireless confirms that it seeks authorization to provide Lifeline-only service to Tribal lands and will comply with all of the Commission’s requirements, rules and policies governing its provision of Lifeline service to eligible subscribers residing on reservations or Tribal lands. Boomerang Wireless will submit all required information to the relevant Tribal government, as applicable, including its aggregated re-certification data and annual recertification results for subscribers residing on reservations or Tribal lands. Boomerang Wireless will provide a copy of its petition to the affected tribal governments and tribal regulatory authorities, as applicable, in accordance with Commission rule 54.202.¹ As a provider of Lifeline services to residents of Tribal lands, Boomerang Wireless will certify that it will pass through the full Tribal support amount to qualifying residents of Tribal lands, and under no circumstances will it collect from the Universal Service Fund more than the rate charged to Tribal subscribers.

¹ 47 C.F.R. §54.202.

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Boomerang Wireless hereby also submits a revised certification and enrollment form in accordance with Staff's request. Boomerang Wireless has revised its enrollment form to make explicit the requirement that subscribers providing a temporary address must respond to Boomerang Wireless' address verification attempts or face possible de-enrollment from the program. Further, the enrollment form has been revised to obtain acknowledgment and consent from potential subscribers that their name, address and phone numbers will be divulged to the Universal Service Administrative Company for the purpose of verifying that the subscriber does not receive more than one Lifeline benefit. In addition, the form now provides that the one-per-household limitation is on the number of subscriptions, not lines, per household.

In addition, the certification form now includes additional categories of program-based eligibility for low-income applicants living on Tribal lands along with a space for potential subscribers to self-certify as to their residency on Tribal lands. The form indicates that an applicant who resides on Tribal lands must provide a descriptive address, which Boomerang Wireless will be able to use to perform a check for duplicate support. This will also trigger the requirement that the applicant complete the one-per-household document.

Boomerang Wireless understands that it may need to amend its pending petition to incorporate the additional commitments and other requirements set forth in its Compliance Plan, as supplemented by this filing. Therefore, to the extent necessary, Boomerang will promptly amend its petition upon approval of the Compliance Plan.

Finally, during the call, we discussed Boomerang Wireless' continued interest in participating in the Broadband Pilot program.

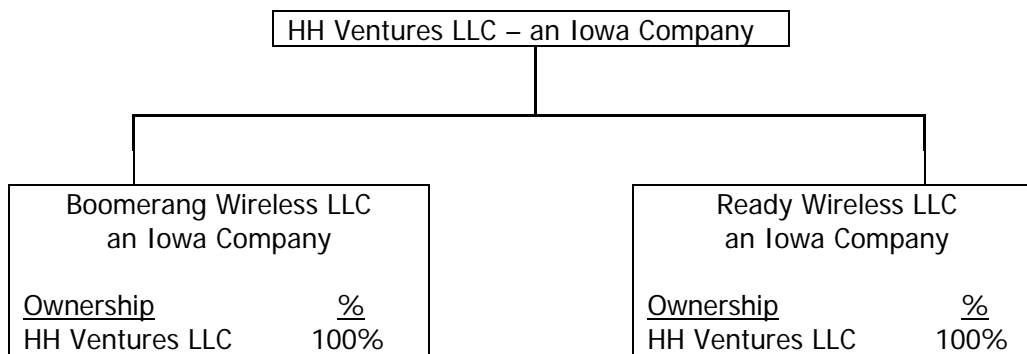
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael P. Donahue". The signature is fluid and cursive, with the first name "Michael" being the most prominent part.

Michael P. Donahue
Counsel for Boomerang Wireless, LLC

Enclosures

cc (via email): Garnet Hanly





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Lifeline Telephone Program

Lifeline Self-Certification Form

- To enroll in the Lifeline America program you need to complete this form.
- The information is only used to certify with the Federal Communications Commission (FCC) that you are participating in the program with us.

Office Use Only
PLACE PHONE ID
STICKER HERE

STEP 1: Applicant Information

USE BLACK OR BLUE INK ONLY

Name:		Phone:	
Address: Circle one: Permanent Address Temporary Address	(no PO Box; residences of Tribal lands must provide a descriptive address)	Email:	
City:		New/ Conv?	
State:		New Phone:	
Zipcode:		ESN:	
Billing Address:	(if different)	Last4SSN:*	
City/ State/ Zipcode:		Your birthdate:	

_____(init) I acknowledge and consent to Boomerang Wireless divulging my name, telephone number and address to the Universal Service Administrative Company (the administrator of the program) and/or its agents for the purpose of verifying that the subscriber does not receive more than one Lifeline benefit. In the event that USAC identifies me as receiving more than one Lifeline subsidy per household, I acknowledge and understand that all carriers may be notified so that I may select one service and be de-enrolled from the other.

*Applicants living on Tribal lands who lack a social security number may instead provide an official Tribal government identification card number.

STEP 2: Certifications. 1 participate in the following public assistance programs (check one):

<input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP)	<input type="checkbox"/> Temporary Assistance for Needy Families (TANF)
<input type="checkbox"/> Supplemental Security Income (SSI)	<input type="checkbox"/> National School Lunch Program (NSL)
<input type="checkbox"/> Low-Income Heat & Energy Assistance (LIHEAP)	<input type="checkbox"/> Medicaid
<input type="checkbox"/> Homestead Act (Public Housing)	<input type="checkbox"/> Food Distribution Program on Indian Reservations, Bureau of Indian Affairs general assistance, Tribally administered TANF or Head Start (meeting the income-qualifying standards of Head Start)

My household income is at or below 135% of federal guidelines. 1 provided documentation confirming my household^ income level. (Circle the number of individuals living in your household.)			
# Persons in Household	Income	# Persons in Household	Income
1	\$14,702	3	\$25,016
2	\$19,859	4	\$30,173

_____(init) I am seeking Tribal lands Lifeline support and certify that I reside on Federally-recognized Tribal lands.

If you do not participate in one of these programs, state your relationship to the household member receiving assistance: _____.

Documents Reviewed for Certification: _____

Step 3: Authorization (check one):

<input type="checkbox"/> I authorize Boomerang Wireless to be my cellular phone carrier for the number listed above. I will terminate any pre-existing lifeline service in lieu of the Lifeline discounts provided by Boomerang Wireless.
<input type="checkbox"/> I am not eligible for the Lifeline discounts at this time because I am receiving service from another carrier.

Step 4: Signature (read, initial & sign):

_____(init) I attest under penalty of perjury that the information herein is true and correct to the best of my knowledge. I understand that Lifeline is a federal government benefit program and that willfully making false statements in order to obtain this benefit can be punished by fine or imprisonment or I may be barred from the program.

_____(init) My household is receiving no more than one Lifeline-supported service. Lifeline service is available for only one subscription per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household is not permitted to receive Lifeline benefits from multiple providers. I understand that violation of the one-per-household requirement constitutes a violation of the FCC's rules and will result in my de-enrollment from the program, and could result in criminal prosecution by the United States government.

_____(init) I understand that I must notify Boomerang Wireless and provide my new address within 30 days of moving.

_____(init) If I do not have a permanent address and have supplied instead a temporary address above, I understand that Boomerang Wireless will attempt to verify every 90 days that I continue to rely on that address, and that I must notify Boomerang Wireless within 30 days of my new address after moving. If I do not respond to Boomerang Wireless' address verification attempts within 30 days, I understand that I may be de-enrolled from Boomerang Wireless' Lifeline service.

_____(init) I understand that I must notify Boomerang Wireless within 30 days if (1) I cease to participate in a federal or state qualifying program or my annual household income exceeds 135 percent of the federal poverty guidelines; (2) I receive more than one Lifeline-supported service; or (3) I for any other reason no longer satisfy the criteria for receiving Lifeline support. I understand that I will be subject to penalties if I fail to follow this notification requirement, including being de-enrolled from the Lifeline program.

_____(init) I understand and acknowledge that Lifeline service is a non-transferable benefit and that I may not transfer my service to any other individual, including another low-income consumer.

_____(init) I acknowledge that I will be required to re-certify my eligibility for Lifeline benefits annually, and I may be required to re-certify my continued eligibility for Lifeline at any time, and that failure to do so will result in the termination of my Lifeline benefits.

Applicants Signature: _____

Date: _____